

Sec. 5.3000. - Downtown (D).

Editor's note— Ord. No. 3987, § 1(Res. No. 8948, § 1(Exh. A, § 18), adopted November 14 2012, repealed former §§ 5.3000—5.3090 and enacted new provisions designated as new §§ 5.3000—5.3008. Prior to inclusion of said ordinance, said provisions pertained to similar subject matter. See also the Code Comparative Table.

Sec. 5.3001. - Purpose.

- A. The purpose of the D District is to provide use regulations and development standards to implement the Downtown Plan and the Downtown Plan Urban Design & Architectural Guidelines. The Downtown Area is planned as a concentration of a variety of uses and community interests in a small geographic area comprised of several sub-districts. In order to support a high quality urban development pattern the D District is intended to:
1. Preserve and protect the character of the diverse collection of vibrant mixed-use pedestrian-oriented districts;
 2. Promote an enhanced, pedestrian-oriented, streetscape environment on certain key streets in the Downtown Area;
 3. Encourage commercial and residential land uses that activate the streetscape;
 4. Create different building setback requirements that fit into the existing character of the district, the classification of the adjacent streets, and the multi-modal transportation network;
 5. Establish and enhance connectivity in and around the Downtown Area and districts, focusing on walkability and other modes of transportation;
 6. Incorporate contextually sensitive planning, architecture and urban design;
 7. Promote sustainability with sensitivity to the Sonoran Desert;
 8. Promote arts and culture;
 9. Support economic vitality through public-private participation; and
 10. Continue to have Old Town Scottsdale recognized as a premier destination.

(Ord. No. 3987, § 1(Res. No. 8948, § 1(Exh. A, § 18), 11-14-12; Ord. No. 4355, § 1(Res. No. 11190, § 2, Exh. A), 7-2-18)

Sec. 5.3002. - Applicability.

The D District shall only be applied to property within the Downtown Area.

(Ord. No. 3987, § 1(Res. No. 8948, § 1(Exh. A, § 18), 11-14-12)

Sec. 5.3003. - Downtown District sub-districts.

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- A. The Downtown Plan shows the following sub-districts on the Downtown Plan's Future Land Use map:

1. Downtown Core (D/DC),
2. Downtown Civic Center (D/DCC),
3. Downtown Medical (D/DM),
4. Downtown Multiple Use (D/DMU), and
5. Downtown Regional Use (D/DRU).

(Ord. No. 3987, § 1(Res. No. 8948, § 1(Exh. A, § 18), 11-14-12; Ord. No. 4355, § 1(Res. No. 11190, § 2, Exh. A), 7-2-18)

Editor's note— Ord. No. 4355, § 1(Res. No. 11190, § 1, Exh. A), adopted July 2, 2018, renumbered §§ 5.3004 and 5.3005 as §§ 5.3004 and 5.3005.

Sec. 5.3004. - Use regulations.

- A. Changes to properties after December 31, 2012 shall comply with the regulations of the sub-districts shown in Table 5.3004.A.

Table 5.3004.A, Sub-districts after December 31, 2012	
Sub-district before December 31, 2012	Sub-district after December 31, 2012
Retail Specialty (RS)	Downtown Core (D/DC)
Office/Commercial (OC)	Downtown Multiple Use (D/DMU)
Office/Residential (OR)	Downtown Multiple Use (D/DMU)
Regional Commercial Office (RCO)	Downtown Regional Use (D/DRU)
Residential/Hotel (RH)	Downtown Multiple Use (D/DMU)
Medical (M)	Downtown Medical (D/DM)
Civic Center (CC)	Downtown Civic Center (D/DCC)
Residential High Density (RHD)	Downtown Multiple Use (DMU)

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- B. Drive-through and drive-in services are not permitted in the Downtown Area.
- C. Temporary buildings, structures and mobile vendors are only allowed on a property as accessory to construction work on the property, and shall be promptly removed upon completion of construction work or the Zoning Administrator's request.
- D. The land uses for each of the sub-districts are shown in Table 5.3004.D.

**Table 5.3004.D., Land Uses
for Each Sub-district of the Downtown District**

- P—is a permitted use.
- P(#)—is a permitted use with limitations described in the notes (P(#)) following Table 5.3004.D.
- CU—is a use subject to a Conditional Use Permit.

Land use	Downtown Core (DC) Sub-districts	Downtown Civic Center (DCC) Sub-district	Downtown Medical (DM) Sub-district	Downtown Multiple Use (DMU) Sub-district	Downtown Regional Use (DRU) Sub-district
Adult use				CU	CU
After hours establishment				CU	CU
Ambulance service			P		
Bar	CU	CU		CU	CU
Big box					P
Civic and social organization		P		P	P

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Cultural institution	P	P	P	P	P
Day care center			P	P	
Dwelling unit	P(1)	P	P	P	P
Educational service— elementary and secondary school					CU
Educational service—other than elementary and secondary school	P		P	P	P
Financial institution	P		P	P	P
Funeral home and funeral service				CU	CU
Game center and/or pool hall				CU	CU
Health and fitness studio			P	P	P
Helipad			P		CU

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Hospital			P	P	P
Live entertainment	CU	CU		CU	CU
Medical diagnostic laboratory			P	P	P
Medical Marijuana	CU	CU	CU	CU	CU
Multimedia production				CU	CU
Municipal use	P	P	P	P	P
Office	P	P	P	P	P
Personal care service	P	P	P	P	P
Pet care service				P(3)	P(3)
Place of worship	P			P	P
Public utility buildings, structures or appurtenances thereto for public service uses			CU	CU	CU

Residential health care facility (minimal and specialized)			P	CU	P
Restaurant	P	P	P	P	P
Retail	P	P	P	P	P
Theater	P(2)	P(2)		P(2)	P(2)
Travel accommodation		P	P	P	P
Vehicle leasing, rental, and sales				CU	CU
Veterinary service			P(3)	P(3)	P(3)
Wireless communication facility		P (4)	P (4)	P (4)	P (4)
Work/live	P	P	P	P	P

Limitations on uses:

1. A dwelling unit shall not occupy more than thirty-five (35) percent of the first floor area.
2. A theater with live entertainment is subject to a Conditional Use Permit.
3. All facilities are within a soundproof building. However, outdoor activities are permitted if:
 - a. An employee or pet owner shall accompany an animal at all times when the animal is outside the building.
 - b. The property owner/operator maintains all outdoor areas in a clean and sanitary condition, including immediate and proper disposal of animal waste.
 - c. The outdoor areas are set back at least one hundred (100) feet from any lot line abutting a residential district, or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., measured from the property boundary to the zoning district line all within the City limits.
 - d. There is no outdoor kennel boarding.
4. Refer to Article VII.

(Ord. No. 3987, § 1(Res. No. 8948, § 1(Exh. A, § 18), 11-14-12; Ord. No. 4099, § 1(Res. No. 9439, Exh. A, §§ 4, 5), 6-18-13; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 114), 5-6-14; Ord. No. 4355, § 1(Res. No. 11190, § 2, Exh. A), 7-2-18)

Editor's note— See editor's note for § 5.3003.

Sec. 5.3005. - Downtown District development types.

- A. The Downtown Plan shows the following development types on the Downtown Plan's Development Types map:
 1. Type 1,
 2. Type 2,
 3. Type 2.5, and
 4. Type 3.

(Ord. No. 4355, § 1(Res. No. 11190, § 2, Exh. A), 7-2-18)

Sec. 5.3006. - Property development standards.

- A. *Prior Development Types* .

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1. Properties zoned Type 1.5 before December 31, 2012. Changes to properties zoned Type 1.5 after December 31, 2012 shall comply with the regulations of the Type 2 development type.
2. Properties zoned Downtown Medical - Type 2 and Downtown Regional Use - Type 2 before May 22, 2018. Changes to properties zoned Downtown Medical - Type 2 and Downtown Regional Use - Type 2 after May 22, 2018 shall comply with the regulations of the Type 3 development type.

B. *Density, Gross Floor Area Ratio (GFAR), and Building Height Maximum.*

1. Density and GFAR maximum are shown in Table 5.3006.B.
2. The building height maximum is shown in Table 5.3006.B., except as provided in Subsection 5.3006.B.3.
3. The additional height regulations of Article VII. shall not apply.

Table 5.3006.B.

Density, Gross Floor Area Ratio (GFAR), and Building Height Maximums

Development Type	Building Height Maximum ⁽¹⁾	GFAR Maximum without Bonus(es)	GFAR Maximum with Bonus(es) ⁽²⁾	Density Maximum (per acre of gross lot area)
Type 1 within Historic Old Town District	40 feet	1.3	2.0	50 dwelling units
Type 1 outside of the Historic Old Town District	48 feet	1.3	2.0	50 dwelling units
Type 2 and Type 2.5	66 feet	1.3	2.0	50 dwelling units
Type 3	84 feet	1.3	2.0	50 dwelling units

Notes:

1. Inclusive of all roof top appurtenances.
2. See Table 5.3008.B.

C. *Setbacks from public streets, except alleys.*

1. The minimum setback from public streets (except alleys) is shown in Table 5.3006.C. The setback is measured from the back of curb.

Table 5.3006.C.

Minimum Setback for Buildings Adjacent to Public Streets, except alleys

Street	Minimum Building Setback
North Drinkwater Boulevard and North Goldwater Boulevard	30 feet
East Indian School Road	30 feet
East Camelback Road	40 feet
North Scottsdale Road in Type 3 Area	40 feet
North Scottsdale Road in Type 1, Type 2 or Type 2.5 Areas	20 feet
All other public streets and public street segments in the Type 1 Area	14 feet
All other public streets and public street segments in the Type 2 or Type 2.5 Areas	20 feet

Note: See the Downtown Plan Urban Design & Architectural Guidelines for locations of the public streets and setbacks above.

2. The adjustment of front yard requirements in Article VII. does not apply. 4-TA-2020 9/17/2020

D. *Setbacks from major intersections .*

1. On each corner of an intersection designated as an Old Town Major Intersection in the Downtown Plan, the property owner shall provide at least 2,500 square feet of open space at grade and up to a height of 30 feet. The open space shall be located within 70 feet of the intersection of the property lines at the corner. Those major intersections include:

- a. East Camelback Road and North Goldwater Boulevard.
- b. East Camelback Road and North Scottsdale Road.
- c. East Indian School Road and North Goldwater Boulevard.
- d. East Indian School Road and North Drinkwater Boulevard.
- e. East Second Street and North Goldwater Boulevard.
- f. East Second Street and North Drinkwater Boulevard.

E. *Setbacks from Single-family Residential districts shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District .*

1. The minimum setback is:
 - a. Ten feet from a single-family residential district shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District.
 - b. Ten feet from an alley that abuts a property zoned with a single-family residential district shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District, measured from the center of the alley.
 - c. Exception. The setback from a single-family residential district shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District, shall not apply to properties abutting the Arizona Canal.
2. Walls and fences up to a height of eight (8) feet are allowed on the property line, or within the required setback above, if the wall or fence is at least ten (10) feet from the center of an alley.

F. *Building location.*

1. A building adjacent to a public street (except alleys) shall be located as follows:

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- a. In a Type 1 Area, at least fifty (50) percent of the:
 - i. Length of the building façade shall be located at the minimum setback; and
 - ii. Area of the building façade at grade and up to a height of thirty (30) feet shall be located at the minimum setback.
- b. In a Type 2 Area, a Type 2.5 Area, or a Type 3 Area, at least twenty-five (25) percent of the:
 - i. Length of the building façade shall be shall be located at the minimum setback;
 - ii. Length of a building façade at grade and up to a height of thirty (30) feet shall be set back at least ten (10) additional feet; and
 - iii. Area of the building façade at grade and up to a height of thirty (30) feet shall be located at the minimum setback.
2. In a Type 2 Area, a Type 2.5 Area, or a Type 3 Area, a building with a building façade length of two hundred (200) feet or more shall be located to achieve a prevailing setback shown in Table 5.3006.F. The building façades on a corner lot are calculated separately, and not added together.

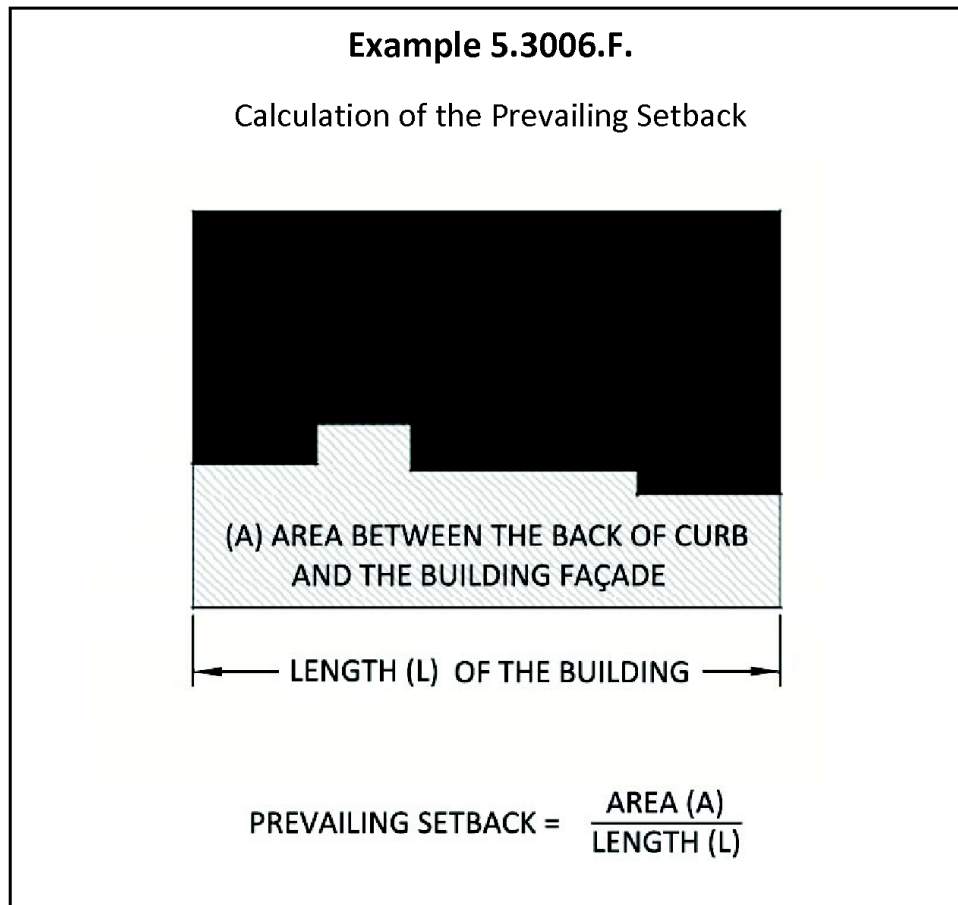
Table 5.3006.F.

Prevailing Setbacks for Buildings Adjacent to a Public Street (except alleys)

Street	Prevailing Setback
North Drinkwater Boulevard and North Goldwater Boulevard	Between 35 and 45 Feet
East Camelback Road	Between 45 and 60 Feet
North Scottsdale Road north of the Arizona Canal	Between 45 and 60 Feet
All other public street and public street segments	Between 25 and 35 Feet

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3. The prevailing setback is equal to the area between the back of curb and the building façade length of the building, as shown in Example 5.3006.F.



G. *Private outdoor living space.*

1. All dwelling units shall include private outdoor living space located beside the dwelling unit.
2. Each private outdoor living space shall be at least six (6) feet deep and sixty (60) square feet in area.

H. *Stepbacks.*

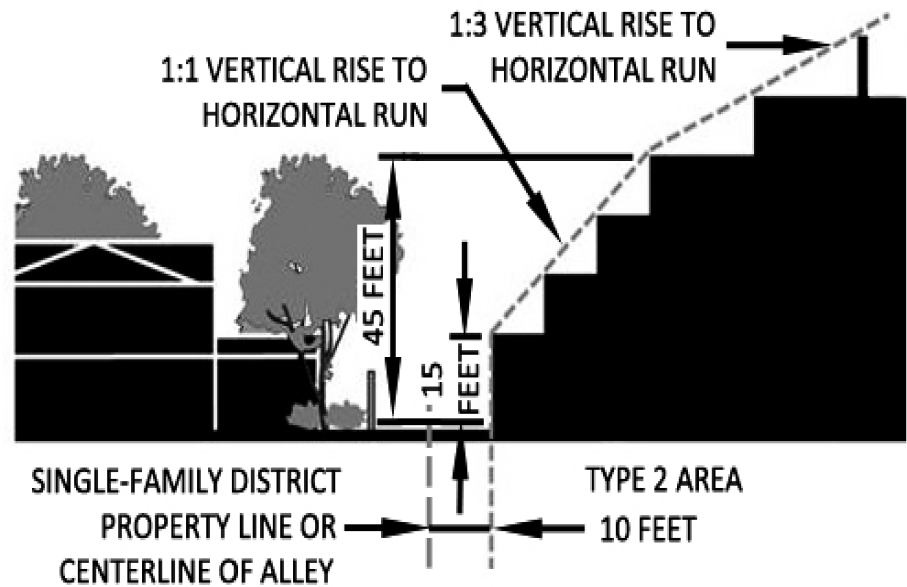
1. Property in a Type 1 Area: The stepback plane shall incline at a ratio of 1:1 beginning thirty (30) feet:
 - a. Above the minimum setback from the public street (except alleys),
 - b. Above the rear property line, and
 - c. Above the property line abutting an alley.
2. Property in a Type 2 Area, a Type 2.5 Area, or a Type 3 Area adjacent to or abutting a Type 1 Area:
 - a. The stepback plane shall incline at a ratio of 1:1, beginning thirty (30) feet above the minimum setback from the public street (except alleys), where the public street abuts a Type 1 Area.

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- b. The stepback plane shall incline at a ratio of 1:1, beginning thirty (30) feet above a property line (i) a Type 1 Area, or (ii) an alley that abuts a Type 1 Area.
 - c. The stepback plane shall incline in conformance with the applicable requirements of this section for property lines that do not abut (i) a Type 1 Area, or (ii) an alley that abuts a Type 1 Area.
- 3. Property in a Type 2 Area or a Type 2.5 Area not described above: The stepback plane shall incline at a ratio of 1:1, beginning thirty (30) feet above (i) the minimum setback from the public street (except alleys), and (ii) all other property lines, to forty-five (45) feet; and beginning at forty-five (45) feet, incline at a ratio of 2:1.
- 4. Property in a Type 3 Area not described above: The stepback plane shall incline at a ratio of 2:1, beginning forty-five (45) feet above (i) the minimum setback from the public street (except alleys), and (ii) all other property lines.
- 5. Downtown Boundary—additional requirements for property in a Type 2 Area, a Type 2.5 Area, or a Type 3 Area:
 - a. Where the Downtown Boundary abuts a single-family residential district or an alley that abuts a single-family residential district shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District:
 - i. The setback shall be 10 feet from the single-family residential district shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District, or the centerline of the alley.
 - ii. The stepback plane shall incline at a ratio of 1:1, beginning fifteen (15) feet above the setback line to forty-five (45) feet; and beginning at forty-five (45) feet, incline at a ratio of 1:3.

Example 5.3006.H.1.

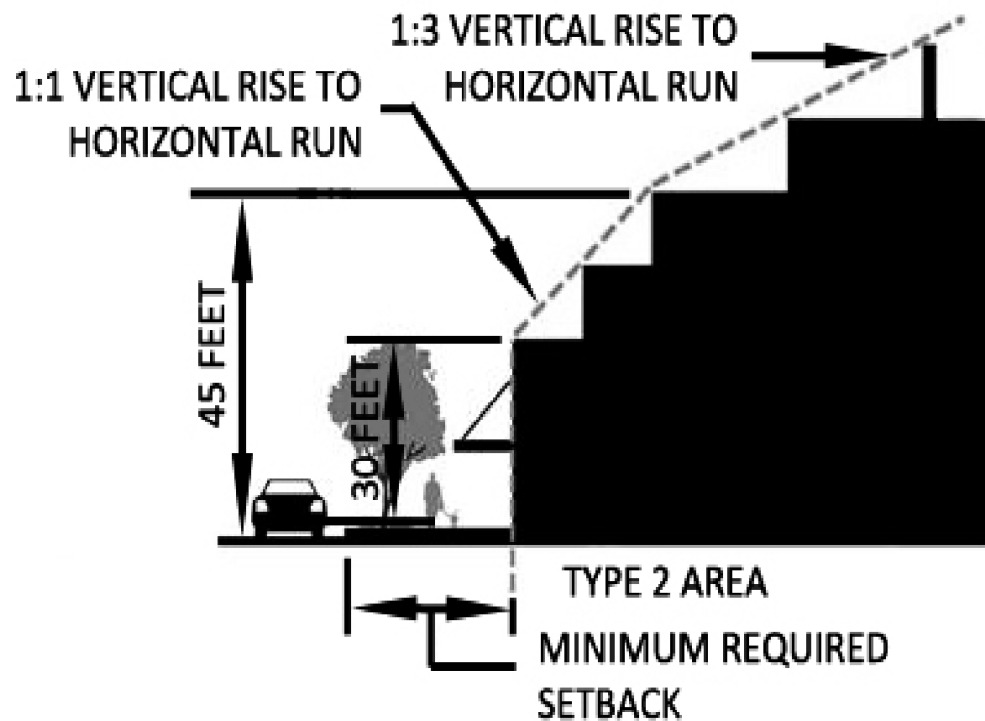
Stepback where the Downtown Boundary
abuts a property zoned single-family residential district or an alley that abuts a
property zoned single-family residential
district



- b. Where the Downtown Boundary abuts a public street (except alleys), the stepback plane shall incline at a ratio of 1:1, beginning thirty (30) feet above the minimum setback from the public street (except alleys) to forty-five (45) feet; and beginning at forty-five (45) feet, incline at a ratio of 1:3.

Example 5.3006.H.2.

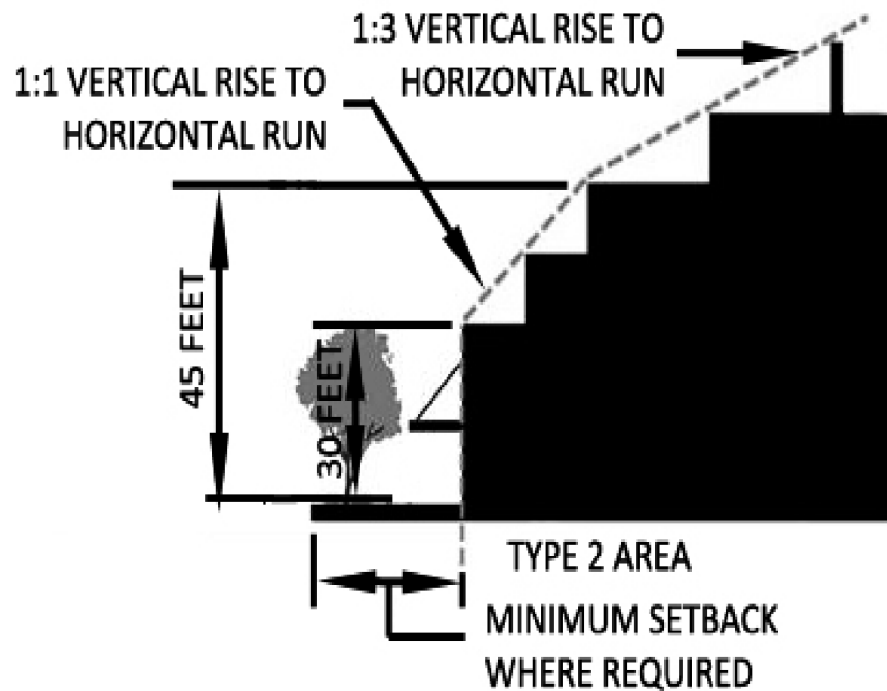
Stepback where the Downtown Boundary abuts a public street



- c. Where the Downtown Boundary does not abut a single-family residential district or an alley that abuts a single-family residential district shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District:
 - i. The setback shall be ten (10) feet from the centerline of the alley.
 - ii. The stepback plane shall incline at a ratio of 1:1, beginning thirty (30) feet above the setback line from the alley and thirty (30) feet above all other property lines to forty-five (45) feet; and beginning at forty-five (45) feet, incline at a ratio of 1:3.

Example 5.3006.H.3.

Downtown Boundary abuts other than a single-family residential district
or an alley that abuts other than a single-family residential district



6. If there is a conflict at the intersection of the stepback planes, the more gradual slope controls.

I. **Exceptions to building location, setback, prevailing setback and stepback standards.**

1. As outlined in Subsections 5.3006.I.2 through 5.3006.I.4. below, and except as provided in Subsection 5.3006.I.9. below, certain exceptions to building location, setback and stepback standards are allowed if the Development Review Board finds the exceptions conform to:
 - a. The Downtown Plan and Downtown Plan Urban Design & Architectural Guidelines; and
 - b. The sight distance requirements of the Design Standards and Policy Manual.
2. Subject to design approval by the Development Review Board, the following exceptions to building location, setback and stepback standards are allowed:
 - a. A maximum of five (5) feet for cornices, eaves, parapets and fireplaces.
 - b. A maximum of seven (7) feet for canopies and other covers over sidewalks, balconies and terraces.
 - c. Balcony walls and railings with a maximum inside height of forty-five (45) feet.

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- d. Uncovered balconies, uncovered terraces and patios at and below grade.
 - e. Covered sidewalks and uncovered terraces directly above a sidewalk.
3. Subject to design approval by the Development Review Board, in a Type 2 Area, a Type 2.5 Area, or a Type 3 Area, a maximum fifteen (15) feet exception to stepback and setback standards above the first floor (not specified in I.2. above), is allowed for projections that:
- a. Are less than fifty (50) percent of the length of the segment of the building façade where the projections occur; and
 - b. Are less than thirty-three (33) percent of the surface area of the segment of the building façade where the projections occur.
4. Subject to design approval by the Development Review Board, an exception to the stepback standard is allowed for stairwells and elevator shafts.
5. The minimum setback from public streets (except alleys) shall be equal to the average prevailing setback of all buildings on the same frontage if forty (40) percent or more of the existing buildings on the frontage are closer to the curb than the requirement of Table 5.3006.C.
6. The prevailing setback of a building with a building façade length of two hundred (200) feet or more shall be between five (5) feet and fifteen (15) feet greater than the average of the prevailing setbacks of all existing buildings on the same frontage, if forty (40) percent or more of the existing buildings on the frontage are nearer the curb than the requirement in Table 5.3006.F.
7. The minimum setback from public street (except alleys) shall be equal to the average prevailing setback of all buildings on the same frontage, but in a Type 2 Area, a Type 2.5 Area, or a Type 3 Area, not less than sixteen (16) feet.
8. The prevailing setback of a building with a building façade length of two hundred (200) feet or more shall be between five (5) feet and fifteen (15) feet greater than the minimum setback.
9. Exceptions to setback or stepback standards are not allowed:
- a. To cross a property line; however, exceptions that encroach into the public street may be allowed, subject to the Scottsdale Revised Code.
 - b. On the side or rear, where the property line abuts a single-family residential district or an alley that abuts a single-family residential district shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District; however, a maximum five (5) feet exception to the stepback standard is allowed for stairwells,

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and elevator shafts, mechanical equipment and related screening, chimneys, parapets, and ridges of sloped roofs. This requirement does not apply to properties abutting the Arizona Canal.

- c. To increase the building height maximum.
- 10. Where the building location requirements in Subsection 5.3006.F.1. above can not be met due to the location of the street line, the following shall apply:
 - a. In a Type 1 Area, at least fifty (50) percent of the:
 - i. Length of the building façade shall be located at the street line; and
 - ii. Area of the building façade at grade and up to a height of thirty (30) feet shall be located at the minimum setback.
 - b. In a Type 2 Area, a Type 2.5 Area, or a Type 3 Area, at least twenty-five (25) percent of the:
 - i. Length of the building façade shall be shall be located at the street line;
 - ii. Length of a building façade at grade and up to a height of thirty (30) feet shall be set back at least ten (10) additional feet; and
 - iii. Area of the building façade at grade and up to a height of thirty (30) feet shall be located at the minimum setback.

J. *Shaded sidewalks.*

- 1. The property owner shall provide shaded sidewalks that conform to the Downtown Plan Urban Design & Architectural Guidelines, subject to Development Review Board approval.

K. *Signs.*

- 1. The provisions of Article VIII. shall apply.

L. *Off-street parking.*

- 1. The provisions of Article IX. shall apply, except as provided below.
- 2. Vehicle parking is prohibited in the required setback specified in Table 5.3006.C.
- 3. The underground portion of a parking structure may be built to the property line.
- 4. A development with dwelling units that is required to provide:
 - a. Fifty (50) to two hundred (200) parking spaces for the dwelling units, shall provide at least ninety (90) percent of those parking spaces in a parking structure, podium parking, or tuck-under parking.
 - b. Two hundred one (201) or more parking spaces for the dwelling units, shall provide at least ninety (90) percent of those parking spaces in a parking structure, excluding podium parking and tuck-under parking.

- 5. The Development Review Board may approve an above-ground parking structure

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podium parking and tuck-under parking adjacent to a public street if it finds that such parking conforms to the Downtown Plan and Downtown Plan Urban Design & Architectural Guidelines.

M. *Landscaping.*

1. The provisions of Article X. shall apply.

(Ord. No. 3987, § 1(Res. No. 8948, § 1(Exh. A, § 18), 11-14-12; Ord. No. 4099, § 1(Res. No. 9439, Exh. A, §§ 6—9), 6-18-13; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, §§ 115—118), 5-6-14; Ord. No. 4355, § 1(Res. No. 11190, § 2, Exh. A), 7-2-18)

Sec. 5.3007. - Property development standards for small parcels.

- A. For development of a parcel with a gross lot area less than twenty thousand (20,000) square feet, the Development Review Board may reduce the setbacks and stepbacks of the underlying district up to ten (10) percent, if the reductions conform to the Downtown Plan and Downtown Plan Urban Design & Architectural Guidelines.
- B. For development of a parcel with a gross lot area less than twenty thousand (20,000) square feet, the City Council may reduce the setbacks and stepbacks of the underlying district by ten (10) percent or more, if the reductions conform to the Downtown Plan and Downtown Plan Urban Design & Architectural Guidelines.

(Ord. No. 3987, § 1(Res. No. 8948, § 1(Exh. A, § 18), 11-14-12)

Sec. 5.3008. - Bonus provisions.

- A. Purpose. The bonus provisions provide higher gross floor area ratios (GFAR) for properties zoned Downtown District that provide significant sustainable, high-quality urban design and other features, beyond those required by the City, to achieve the goals of the General Plan and Downtown Plan and increase the quality of life for the community.
- B. *Gross Floor Area Ratio (GFAR) bonus.*

1. GFAR bonuses are as set forth in Table 5.3008.B., Gross Floor Area Ratio Bonuses.

Table 5.3008.B. Gross Floor Area Ratio Bonuses		
Mechanism	Bonus	Regulations
Underground parking structure	0.4 GFAR	Section 5.3008.C.1.

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Incorporation of dwelling units	One square foot of nonresidential floor area for each square foot of dwelling floor area, up to 0.5 additional GFAR	Section 5.3008.C.2.
Above-ground parking structure	0.1 GFAR	Section 5.3008.C.3.
Downtown historic preservation	0.2 GFAR	Section 5.3008.C.4.

C. Bonus provision regulations.

1. Underground parking structure. At least ninety (90) percent of the total required parking for the development shall be in an underground parking structure. Each phase of construction shall provide its pro rata share of required parking in an underground parking structure.
2. Incorporation of dwelling units. The floor plan shall identify the amount and locations of floor area used exclusively for dwellings.
3. Above-ground parking structure. At least ninety (90) percent of the total required parking shall be on the second floor or above in an above-ground parking structure. Each phase of construction shall provide its pro rata share of required parking in an above-ground parking structure.
4. Downtown historic preservation. Where applicable, the Development Plan shall incorporate property zoned historic property, and include a Historic Preservation Plan.

(Ord. No. 3987, § 1(Res. No. 8948, § 1(Exh. A, § 18), 11-14-12; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, §§ 119, 120), 5-6-14)